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### ***REMARKS***

This is a full and timely response to the outstanding non-final Office Action mailed November 8, 2005. Reconsideration and allowance of the application and pending claims are respectfully requested.

#### **1. Allowable Subject Matter**

Applicants reiterate their appreciation that claims 4, 7-12, 18-24, 31-34, 39, and 40 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In that it is believed that every rejection has been overcome, it is respectfully submitted that each of the claims that remains in the case is presently in condition for allowance.

#### **2. Response To Rejections of Claims Under 35 U.S.C. §102**

Claims 1-3, 5, 6, 13, 14, 25-30, and 35-37 have been rejected under 35 U.S.C. §102(b) as being anticipated by *DeMeerleer* (U.S. Patent No. 6,402,299). Applicants respectfully traverse this rejection.

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed subject matter must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. §102(b). In the present case, not every feature of the claimed subject matter is represented in the *DeMeerleer* reference. Applicants discuss the *DeMeerleer* reference and Applicants' claims in the following.

##### **a. Claim 1**

As provided in independent claim 1, Applicants claim:

A fluid ejection device for receiving a signal and ejecting fluid in response thereto, comprising:  
an ink ejecting nozzle layer having a substrate with first and second surfaces joined along an edge;  
*an insulating feature located on the first surface adjacent the edge;*  
*and*  
*a flexible lead that bends around the edge and lies flush against the insulating feature.*

(Emphasis added).

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Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *DeMeerleer* does not disclose, teach, or suggest at least “an insulating feature located on the first surface adjacent the edge” or “a flexible lead that bends around the edge and lies flush against the insulating feature,” as recited and emphasized above in claim 1.

For example, *DeMeerleer* teaches an inkjet cartridge assembly 10 having a body 12, TAB circuit 14, and printhead 16. Col. 2, lines 60-64. “Printhead 16 includes a plurality of ink jetting orifices 24” and is attached to a body 12. Col. 3, lines 14-25.

As shown in Fig. 4, however, an insulating feature does not appear to be located on a first surface of the printhead 16. Rather, the only items seemingly located on any of the surfaces of the print head die are trace 30, encapsulant 48, and adhesive 22. As a result, Applicants respectfully submit that *DeMeerleer* fails to teach or suggest at least “an insulating feature located on the first surface adjacent the edge; and a flexible lead that bends around the edge and lies flush against the insulating feature,” as recited in claim 1.

For at least the aforementioned reasons, *DeMeerleer* does not teach or suggest at least all of the claimed features of claim 1. Therefore, claim 1 is not anticipated by *DeMeerleer*, and the rejection should be withdrawn for at least this reason alone.

**b. Claims 2-3, 5-6, and 13-14**

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-3, 5-6, and 13-14 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims contain all the elements and features of independent claim 1. For at least this reason, the rejections of claims 2-3, 5-6, and 13-14 should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 2-3, 5-6, and 13-14, these dependent claims recite further features/steps and/or combinations of features/steps (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

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c. **Claim 25**

As provided in independent claim 25, Applicants claim:

A fluid ejection device, comprising:  
means for defining a nozzle;  
means for supporting the means for defining;  
means for ejecting fluid from the nozzle in response to a firing signal;  
means for receiving the firing signal; and  
*means for insulating the means for receiving from the means for supporting, wherein the means for receiving lies flush against the means for insulating.*

(Emphasis added).

Applicants respectfully submit that independent claim 25 is allowable for at least the reason that *DeMeerleer* does not disclose, teach, or suggest at least “means for insulating the means for receiving from the means for supporting, wherein the means for receiving lies flush against the means for insulating,” as recited and emphasized above in claim 25.

For example, *DeMeerleer* teaches an inkjet cartridge assembly 10 having a body 12, TAB circuit 14, and printhead 16. Col. 2, lines 60-64. “Printhead 16 includes a plurality of ink jetting orifices 24” and is attached to a body 12. Col. 3, lines 14-25.

As shown in Fig. 4, however, an insulating feature does not appear to be located on a first surface of the printhead 16. Rather, the only items seemingly located on any of the surfaces of the print head die are trace 30, encapsulant 48, and adhesive 22. Therefore, Applicants respectfully submit that *DeMeerleer* fails to teach or suggest at least “means for insulating the means for receiving from the means for supporting, wherein the means for receiving lies flush against the means for insulating,” as recited in claim 25.

For at least the aforementioned reasons, *DeMeerleer* does not teach or suggest at least all of the claimed features of claim 25. Therefore, claim 25 is not anticipated by *DeMeerleer*, and the rejection should be withdrawn for at least this reason alone.

d. **Claims 26-30**

Because independent claim 25 is allowable over the cited art of record, dependent claims 26-30 (which depend from independent claim 25) are allowable as a matter of law for at least the reason that dependent claims 26-30 contain all the elements and features of independent claim 25. For at least this reason, the rejections of claims 26-30 should be withdrawn.

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Additionally and notwithstanding the foregoing reasons for the allowability of claims 26-30, these dependent claims recite further features/steps and/or combinations of features/steps (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

e. Claim 35

As provided in independent claim 35, Applicants claim:

A method of insulating a flexible lead from a substrate in a fluid ejection device which ejects fluid from a nozzle in response to a signal received through the flexible lead, the method comprising:

providing the substrate having first and second surfaces joined along an edge;

coupling the flexible lead to a firing element associated with the nozzle and responsive to the firing signal;

*insulating the flexible lead from the substrate via an insulating feature supported by the first surface adjacent to the edge; and  
routing the flexible lead flush against the insulating feature.*

(Emphasis added).

Applicants respectfully submit that independent claim 35 is allowable for at least the reason that *DeMeerleer* does not disclose, teach, or suggest at least “insulating the flexible lead from the substrate via an insulating feature supported by the first surface adjacent to the edge; and routing the flexible lead flush against the insulating feature,” as recited and emphasized above in claim 35.

For example, *DeMeerleer* teaches an inkjet cartridge assembly 10 having a body 12, TAB circuit 14, and printhead 16. Col. 2, lines 60-64. “Printhead 16 includes a plurality of ink jetting orifices 24” and is attached to a body 12. Col. 3, lines 14-25.

As shown in Fig. 4, however, an insulating feature does not appear to be located on a first surface of the printhead 16. Rather, the only items seemingly located on any of the surfaces of the print head die are trace 30, encapsulant 48, and adhesive 22. As a result, Applicants respectfully submit that *DeMeerleer* fails to teach or suggest at least “insulating the flexible lead from the substrate via an insulating feature supported by the first surface adjacent to the edge; and routing the flexible lead flush against the insulating feature,” as recited in claim 35.

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For at least the aforementioned reasons, *DeMeerleer* does not teach or suggest at least all of the claimed features of claim 35. Therefore, claim 35 is not anticipated by *DeMeerleer*, and the rejection should be withdrawn for at least this reason alone.

**f. Claims 36-37**

Because independent claim 35 is allowable over the cited art of record, dependent claims 36-37 (which depend from independent claim 35) are allowable as a matter of law for at least the reason that dependent claims 36-37 contain all the elements and features of independent claim 35. For at least this reason, the rejections of claims 36-37 should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 36-37, these dependent claims recite further features/steps and/or combinations of features/steps (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

**3. Response To Rejections of Claims Under 35 U.S.C. §103**

In the Office Action, claims 15-17 and 38 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *DeMeerleer* in view of *Daggs* (U.S. Patent No. 5,422,667). It is well-established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly or explicitly, all elements/features/steps of the claim at issue. See, e.g., *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

All of the claimed features of independent claims 1 and 35 are not taught and suggested by *DeMeerleer*, as previously discussed. Further, the cited art of *Daggs* fails to cure the deficiencies of the *DeMeerleer* reference in suggesting or teaching all of the claimed features in claims 15-17 and 38 (which depend from respective independent claims 1 and 35). Therefore, a *prima facie* case establishing an obviousness rejection by the proposed combination of *DeMeerleer* in view of *Daggs* has not been made. Therefore, the rejections of claims 15-17 and 38 should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 15-17 and 38, these dependent claims recite further features/steps and/or combinations of features/steps (as is apparent by examination of the claims themselves) that are patentably

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distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

For at least these reasons, the rejections of claims 15-17 and 38 should be withdrawn.

### **CONCLUSION**

For at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

  
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